

SUSSEX COUNTY VEHICLE ACQUISITION/USE POLICY

Adopted by
Sussex County Board of Supervisors
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POLICY STATEMENT

The County of Sussex, Virginia, a political subdivision of the Commonwealth of Virginia, shall conduct its purchasing in accordance with generally recognized purchasing practices, including, wherever possible or as mandated by the Virginia Procurement Act and other applicable law, the competitive bidding process, and shall provide the framework for all of the County's vehicle purchasing activities.

REASON FOR POLICY

To set guidelines for the County's vehicle purchasing activities and to ensure objectivity and fairness of purchasing practices for all County personnel involved either directly or indirectly in the purchasing function; and, to establish procedures and guidelines for the acquisition, utilization, replacement and disposal of County owned or County leased motor vehicles.

DEFINITIONS

County Employee is any person whose name appears on the payroll records of the County of Sussex, Virginia and whose manner of work is controlled by the County and/or Board of Supervisors.

Immediate family includes the spouse, common-law spouse, parents, children, and brothers and sisters of an employee.

Pecuniary interest is an interest in a contract that could monetarily affect:

- a) The employee;
- b) A corporation (other than a distributing or business corporation) from which the vehicle is purchased, where the employee is a shareholder, director, or an officer;
- c) A distributing business or corporation where the employee beneficially owns more than 1% of the issued shares, or of which the employee is a director or an officer;
- d) A partnership or firm where the employee is a member; or
- e) A corporation, partnership, firm, or person that employs the employee.

Pecuniary interests also include the employee's spouse, parents, children, brothers, and sisters that are known to him/her or of which he reasonably should know, but shall not include an interest by reason only of his/her having been appointed by the Board of Supervisors.

Sole source procurement occurs when a source is determined, by the Board of Supervisors, with the advice of County Administration, to be the only source capable of performing the service or supplying the to be owned or leased County vehicle.

RESPONSIBILITIES

Board of Supervisors to approve the policy.

County Administrator to approve the procedures for the purchasing function and to ensure the procedures are in accordance with the policy set by the Board of Supervisors; with the advice of the Director of Finance, to establish and maintain purchasing procedures to ensure the guidelines for the County's purchasing function are followed; and, to be in compliance

with local, state and federal law and accurate reporting.

Director of Finance to inspect, review, and maintain records of the acquisition of and use of County owned or County leased vehicles and related goods and services to ensure compliance.

Determination of Requirements: In determining the requirements for motor vehicles, consideration shall be given to the following:

1. The essential need and cost for all non-standard systems and equipment and the potential benefits to be derived from their use;
2. The number of each type of vehicle needed to accomplish the County's department objectives;
3. The fuel economy rating for all vehicle acquisitions;
4. The reassignment of existing vehicles to meet the requirements;
5. The feasibility of lease or rental from commercial sources, especially in those instances where the requirement is for a period of three (3) months or less; and,
6. The feasibility and economy of using a privately owned vehicle or local public transportation in lieu of acquiring additional vehicles.

UTILIZATION

1. **POLICIES:** Motor vehicles acquired shall be limited to the minimum number required for essential County governmental and public purposes and utilized to the maximum extent possible. Actions such as carpooling and sharing shall be considered, thereby reducing the need to acquire additional vehicles. All motor vehicles shall have maximum fuel economy, unless expressly waived by the Board of Supervisors, of not less than overall miles per gallon average of thirty (30) miles per gallon.

a. Assignment of Vehicles

- (1) An official vehicle cannot be assigned to any County employee, unless expressly approved by the Board of Supervisors, for his/her exclusive or personal use.
- (2) The County Administrator shall assign all County owned or County leased vehicles as needed for governmental or public use only if the requirements listed below have been met:
 - (a) The employee has a valid State of Virginia operator's license which applies to the type of vehicle to be operated and which is issued. An employee requiring temporary use of a vehicle while in travel status needs to possess a valid state driver's license and a travel order specifically authorizing the use of a vehicle. The Department of Motor Vehicle driving record, for any

person who uses any County owned or County leased vehicle on a regular basis within the scope of his or her employment, shall be obtained on a random basis at least twice a year and at least once in every six months period of time, with the consent of the affected employee and at county expense, to be reviewed to determine whether any vehicle assignment to or use by a county employee is in the County's best interest.

- (b) The vehicle is in a safe operating condition.
- (c) The vehicle is appropriate for the assignment.
- (d) The vehicle contains a packet of all pertinent information in case of an accident or emergency.
- (e) The vehicle has properly installed seat belts.

b. Authorized Uses of Motor Vehicles. Sussex County personnel shall use any County owned and County leased vehicles for official purposes only. Vehicles may be used by non-Sussex County employees only when there is a direct connection with official business. Example of official use, by County employees, includes the following:

- (1) Travel directly incidental to the performance of official business, provided that the vehicle is not diverted from a reasonable and prudent route or from its intended purposes;
- (2) Transportation of Sussex County documents, material, and/or supplies;
- (3) Transportation between temporary lodging and temporary business meetings, events and other governmental and other public community or incidental County related functions;
- (4) **Transportation between domicile and place of employment:** This provision shall be limited to only those County employees who have secured the expressed written authorization of the Board of Supervisors and shall only be authorized when:
 - (a) The use of vehicles between place of employment or garage and employee's residence is in the County's interest that official travel start from the employee's residence rather than his/her place of employment or garage;
 - (i) The department heads, without the prior approval of the Board of Supervisors, may authorize a County employee when circumstances prudently call for transportation between temporary lodging and temporary business meetings, events and other governmental and other public community or incidental County related functions, to utilize a county vehicle for any of the previously stated purposes to drive a County vehicle to his or her place of domicile when official travel would commence within twenty-four (24) hours. Any such authorization given

by any department head shall be thereafter, in writing, filed with the County Administration with a written reason for any such approval.

- (b) Record of such authorization is to be maintained by the County Administrator and shall be subject to review, inspection and modification by the Sussex County Board of Supervisors.
- (c) **Penalty For Unofficial Use:** Any officer or employee of Sussex County, Virginia who willfully uses or authorizes the use of any Sussex County owned or County leased work or passenger motor vehicle for other than official purposes, will be suspended from duty by the County Administrator, subject to review and approval by the Board of Supervisors and, as applicable, the provisions of the County grievance procedures which by reference are expressly incorporated herein as it now exists or as later modified, without compensation, for a time certain not to exceed thirty (30) days, or be summarily removed from employment with the County if circumstances warrant the same. (Refer to Sussex County Grievance Policy for additional information regarding offenses and penalties).

VEHICLE OPERATION

Good driving habits and a common sense approach should be maintained when operating motor vehicles. The following driving and operating techniques are examples of those which are to be observed:

1. Avoid one-person trips. Use one (1) vehicle for several passengers traveling in the same general area. ***Always*** consider: "Is this trip necessary?" "Can the job be accomplished by some other means?" Use the telephone, fax or e-mail when practicable and appropriate.
2. Use the complete occupant restraint system for each occupant of a motor vehicle while on official business.

MOTOR VEHICLE ACQUISITION

1. **POLICIES:** Motor vehicles acquired shall be limited to the minimum number required for essential purposes and utilized to the maximum extent possible. Actions such as carpooling and sharing shall be considered, thereby reducing the need to acquire additional vehicles.
2. **ACQUISITION:** Motor vehicles may be obtained through purchase or by commercial leasing or renting, as outlined below:
 - a. **Purchase.** Passenger and special purpose vehicles are authorized for purchase only when the Board of Supervisors, the sole appropriation authority, authorizes the same. Requests for purchase must be processed through County Administration. County Administration shall ensure that all requirements of the law are met, including but not

limited to, the Virginia Procurement Act, when if applicable, the most responsive, responsible and lowest bid shall be chosen.

- (1) On a short term basis, when all County owned vehicles are in use or may not practicably be available, a commercial rental or privately owned vehicle may be utilized.
 - (a) Before signing a receipt for a commercial rental or leased vehicle, the driver shall inspect it for damage, an inflated spare tire and the necessary tools for changing the tire. If any items are missing, the vehicle may be refused until the parts are furnished or another vehicle is supplied.
 - (b) When a traveler on official travel orders requires a rental vehicle, the vehicle must be authorized on the travel order or explained in the travel voucher submitted for reimbursement if a County credit card is not utilized in the rental.
 - (c) To acquire a commercial vehicle, the traveler must have a purchase order or an official travel authorization, or in the case of an emergency, the expressed authorization of the County Administrator, specifying the use of a motor vehicle.
 - (d) When renting a vehicle while on official travel, compact or economy vehicles shall be used in lieu of more costly standard or larger vehicles. If the use of a standard vehicle at a higher cost is necessary due to unusual circumstances, a justification must be attached to the travel order and approved by the official approving the travel. If a need for a more costly vehicle is not known at the time the travel order is prepared, a justification shall be attached to the travel voucher. Notwithstanding the preceding, the County Administrator may authorize the utilization of standard or larger vehicles, without prior Board approval.

REPLACEMENT AND DISPOSAL

These replacement and disposal standards apply to all County owned and County leased vehicles:

1. The Board authorizes the County Administrator to dispose of said vehicles by public auction or sealed bids or trade or in any manner previously or hereafter adopted by the Board of Supervisors and shall report to the Board of Supervisors any such disposal.
2. Replacement Standards: The County shall retain motor vehicles provided that the vehicles can be used or operated in an additional period without excessive maintenance cost or substantial reduction in trade-in value.
3. Damaged Vehicles: A motor vehicle that has been damaged beyond economical repair (including unusual wear by abnormal operating conditions) may be replaced with the approval of the Board of Supervisors.

LIABILITY AND DAMAGE CLAIMS

1. LIABILITY

- a. Employee Liability: An employee will not be held financially liable for any damage to a Sussex County owned or County leased motor vehicle resulting from the operation of the vehicle in the performance of official business. If the employee's actions warrant disciplinary measures, penalties will be based on the nature of the offense.
- b. Collision Damage Insurance
 - (1) Prior to a county employee utilizing a rental vehicle, he/she shall purchase additional collision damage insurance from the commercial rental facility.
 - (2) An employee may be reimbursed for necessary additional insurance (collision damage waiver or collision insurance) when a vehicle is rented or leased for official travel.

2. DEFENSE OF SUITS AGAINST EMPLOYEES

- a. Sussex County, and/or its insurer will defend any civil action which may be brought against an employee, or his/her estate, for damage to property or for personal injury or death resulting from the employee's operation of any motor vehicle while acting within the scope of his/her employment. Damage to property or for personal injury or death resulting from the employee's outside the scope of the employment is not reimbursable by the County, unless expressly authorized by the Board of Supervisors.
- b. When a civil action or proceeding against the employee or the employee's estate is instituted for damage to property, or for personal injury or death arising from a County employee's operation of a motor vehicle while on official business, the employee shall immediately advise the County Administrator. Within three (3) days, the employee shall deliver all process and pleadings or an attested true copy thereof, served upon him/her, to the County Administrator. Failure to do so shall relieve the County of all obligations of reimbursement of expenses to said employee.
- c. The County Administrator shall promptly furnish all information concerning the commencement of such action or proceedings and copies of all process and pleadings to the County attorney and promptly notify the Board of Supervisors.

RELATED INFORMATION

- 1. The Board, subject to the provisions herein, has delegated purchasing authority to the County Administrator; and the County Administrator may further delegate purchasing authorization and approval to the County's Director of Finance.
- 2. The County of Sussex will conduct all purchases in a manner that results in the acquisition of products and services of acceptable quality at the most cost effective price available in consideration of availability, urgency of demand and required service

level in compliance with all applicable law.

3. All purchasing transactions shall ensure equal opportunity, due process and fairness to actual and potential suppliers. The methods by which decisions are made must ensure not only fairness, but also the appearance of fairness.
4. Purchasing agreements shall be approved by the Board of Supervisors. This documentation which communicates the purchase approval and commercial terms to the vendor must be completed before the purchase occurs, except in emergency situations. Purchases may be made without prior approval of the Board of Supervisors if the Board cannot be practicably assembled in a quorum in an emergency situation when the lack of immediate action to supply would disrupt critical services to the public or involve the safety of personnel. However, any such purchase must be brought before the Board of Supervisors for review as soon as practicable.
5. County employees shall not have pecuniary interest, direct or indirect, in any contract with the County of Sussex. No employee of the County or partnership of which an employee is a member may submit a tender for the supply of goods or services to the County. Any corporation (other than those whose shares are publicly traded) submitting a tender must disclose the names of any shareholders who are a County employee and the number of shares owned by the employee. No employee of any department shall make any recommendations about the awarding of any tender or quotation when the employee is a member of the immediate family of any individual who is:
 - a) submitting the tender;
 - b) a shareholder or employee of a company submitting the tender; or
 - c) a member or employee of any partnership submitting the tender.
6. In order to protect the overall County interests and minimize long term financial losses, the County reserves the right not to consider an award of any contracts to a party that is engaged in litigation or arbitration with the County of Sussex, Virginia.
7. When any Virginia Procurement process is used, the most responsive and responsible lowest evaluated tender, which is the tender evaluated as being the most advantageous to the County, shall be accepted subject to the right of the County to refuse any or all tenders. In cases where two or more bids are identical and/or it is difficult to determine the most responsive, responsible and lowest evaluated bid, preference shall be given to suppliers using access to service and/or support as criteria.
8. All County of Sussex personnel shall maintain impartiality and arm's length distance in all dealings with potential suppliers of goods and services.
9. Assuring proper performance by vendors requires cooperation and communication between the departments and County Administration. Timely action on the part of the departments and the Director of Finance is a prerequisite for enforcing the terms of purchase orders and contracts.

